OIPE JC24 MAR 25 2004 PATENT & TRADEMARK OFFICE

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Declaration for Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled System and Method For Implementing HACCP Process and Control at a the specification of which ☐ is attached hereto

☒ was filed on October 24, 2003 as Application No. 10/693,465 and ☐ was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations Sec. 1.56(a). I hereby claim foreign priority benefits under Title 35, United State's Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Filing Date	Priority claimed

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States' application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status

First Inventor: Full Name: Malcolm L. Mitchell
Residence: San Diego, CA Citizenship US
Post Office Address: 11021 Via Frontera, Suite 200, San Diego, CA 92127

Second Inventor: Full Name: Jeffery L. Warren
Residence: San Diego, CA Citizenship US
Post Office Address: 11021 Via Frontera, Suite 200, San Diego, CA 92127

Third Inventor: Full Name:
Residence: Citizenship
Post Office Address:

Fourth Inventor: Full Name:
Residence: Citizenship
Post Office Address:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Date: March 17, 2004 First Inventor Malcolm L. Mitchell
Malcolm L. Mitchell

Date: March 17, 2004 Second Inventor Jeffery L. Warren
Jeffery L. Warren

Date: _____ Third Inventor _____

Date: _____ Fourth Inventor _____

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POWER OF ATTORNEY

IQ Scientific Instruments, Inc.
assignee(s) of the application for United States Letters Patent for
System and Method For Implementing HACCP Process and Control at a Pulurality of Food Service Establishments Via the Internet
invented by Malcolm L. Michell and Jeffery L. Warren

☐ filed herewith, or ☒ having Serial No. 10/693,465, filed October 24, 2003
a copy of the assignment of which is attached hereto, do(es) hereby appoint as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Practitioners at Customer Number 23371.

Please send correspondence to:

The above mentioned Customer Number.

I, the undersigned, declare that I am the (an) assignee of the above-identified application or, if the assignee is a corporation, partnership or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee's Name: IQ Scientific Instruments, Inc.
Assignee's Address: 11021 Via Frontera, Suite 200, San Diego, CA 92127

Signature: Malcolm L. Mitchell Date: March 17, 2004
Declarant's Name: Malcolm L. Mitchell Title President
Declarant's Address: 11021 Via Frontera, Suite 200, San Diego, CA 92127

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1 9(f) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: IQ Scientific Instruments, Inc.
ADDRESS OF CONCERN: 11021 Via Frontera, Suite 200, San Diego, CA 92127

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, In that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled System and Method For Implementing HACCP Process and Control at a Pulurality of invented by: Malcolm L. Michell and Jeffery L. Warren

and described in ☐ the specification filed herewith or ☒ the application serial no. 10/693,465

filed on October 24, 2003 or ☐ U.S. Patent No. _____ , issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business-concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).
*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the Invention averring to their status as small entities. (37 CFR I 27).

NAME OF CONCERN: _____
ADDRESS OF CONCERN: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME OF CONCERN: _____
ADDRESS OF CONCERN: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Malcolm L. Mitchell
TITLE OF PERSON SIGNING: President
ADDRESS OF PERSON SIGNING: 11021 Via Frontera, Suite 200, San Diego, CA 92127

SIGNATURE Malcolm L Mitchell DATE: March 17, 2004